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this application relies for an earlier filing date under 35 U.S.C. § 120: U.S. Patent Application Serial No. 08/887,673, filed July 3, 1997. Accordingly, pursuant to 37 CFR 1.98(d), copies of the previously cited or submitted patents, publications, and other information listed in the attached PTO Form 1449 are not attached.

**INFORMATION DISCLOSURE STATEMENT FILING PROVISION:**

This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

However, if the undersigned is in error in this regard, Applicants respectfully request that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

**STATEMENT UNDER 37 CFR § 1.97(e):**

No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

**PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:**

The Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Lyon & Lyon's Deposit Account No. 12-2475.

Respectfully submitted,  
LYON & LYON LLPDated: January 23, 2002By: Samuel N. TiuSamuel N. Tiu  
Reg. No. 47,997

29836

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<b>Re:</b> SN 09/774,284 - Information Disclosure Statement	<b>Date/Time sent:</b> 1/23/02 3:34 PM	<b>No. of Pages:</b> 5 (incl. cover)
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**Notes/Comments:**

Enclosures:

- 1) Transmittal of Information Disclosure Statement
- 2) Information Disclosure Statement
- 3) Form PTO-1449

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**II. PAYMENT:**

No fee is required for this request. If Applicants are mistaken, however, the Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Lyon & Lyon's Deposit Account No. 12-2475.

Respectfully submitted,  
LYON & LYON LLP

Dated: January 23, 2002

By: *Samuel Tiu*

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